

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*,

Defendants.

Case No. C04-5161 FDB/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

On November 1, 2006, the Court denied Plaintiff's motion to join additional parties and to amend his complaint. (Dkt. # 240). The Court denied Plaintiff's motion to amend as untimely, prejudicial and because the amendment will cause undue delay in the disposition of this case. Plaintiff argues that reconsideration is warranted because his proposed third amended complaint was submitted in a timely fashion and had the Court been able to review it, its ruling would have been different. The Court has carefully reviewed the proposed complaint (Dkt. # 241, filed 11/01/06), and finds that the motion for reconsideration should be denied.

Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to the court's attention earlier with reasonable diligence." Local Rule CR

1 7(h)(1).

2 Plaintiff has identified no error in the Court's order, nor presented any new facts or legal
3 authority that suggest reconsideration is appropriate. In addition to the prejudice and delay resulting
4 from the proposed amendment, the Court also addressed each of the proposed additional parties
5 listed in Plaintiff's proposed Complaint. (*See* Dkt. # 240). Plaintiff must pursue any remedy against
6 Defendant Waddington via appeal; his attempt to add Mr. Van Ogle is untimely and insupportable
7 based on his prior representations to this Court; and the record reflects that Plaintiff was aware or
8 should have known of Sgt. Dahne's involvement surrounding this lawsuit at the time he filed his
9 original pleading. (*Id.*). Plaintiff's motion for reconsideration (Dkt. # 253) is, therefore **DENIED**.

10 The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Franklin
11 D. Burgess.

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13 DATED this 7th day of December.

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18 Karen L. Strombom
19 United States Magistrate Judge
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